THE STATES-ITEM

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May fire own lawyers

DA TO CHALLENGE JUDGE

By LANNY THOMAS
and ALLAN KATZ

Dist. Atty. Jim Garrison today indicated he will ask the judge in his federal pinball bribery trial to step down and that he will fire his two defense attorneys and represent himself during the remainder of the trial.

Garrison would not flatly say he will ask U.S. Distrirt Court Julge Herbert W. Christenberry to recuse himself because of remarks the judge made yesterday, but said in a noon recess:

"I have been asked by the judge not to comment on this the case but I can tell you that I plan to rise in my own behalf this afternoon and make a statement reacting to the judge's remarks of yesterday and indicating my wishes for the remainder of the trial."

Denying a defense motion for a directed verdict of guilty yesterday, Judge Christenberry said, "I don't agree here is no evidence . . . There is abundant evidence to establish the guilt of all defendants if the jury believes it.

GARRISON IS on trial along with nightclub executives John Arung Gallery and Robert Nims. They are charged with conspiracy to obstruct law enforcement by giving and taking bribes to protect illegal pinball gambling.

Garrison has been represented in the trial by Dr. Frederic Barnett of Boston, a member of the F. Lee Bailey law firm, and Louis Merhige of New Orleans.

There has been speculation for several days that the district attorney was not pleased with the way his defense attorneys were handling his case.

Asked if his attorneys had recommended he rest his case without taking the stand, Garrison said, "I don't want to be very specific about that. I think you will be able to make a better judgment about what my feelings are after I make the statement I have in mind, with the court's permission, I hope."

GARRISON SAID he feels he and Christenberry, "after a rocky start, both have the intent that this trial should proceed in an orderly and fair way."

The government rested its case just before the noon recess with the trial in

The defense was to begin presentation of its case this afternoon, pending the outcome of the expected Garrison motions.

In its motion for a directed verdict

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of not guilty yesterday, the defense claimed there was no evidence to justify continuation of the trial.

Barnett told Christenberry there is no proof Garrison received $1,000 monthly payments and that the money never was traced.

"What about the money at the hotel?" the judge asked, referring to government claims that Garrison had been paid in marked $100 bills, which he later used to pay a Fontainebleau Motor Hotel bill.

Barnette also argued that Garrison had not necessarily received a bribe, even though a sealed envelope containing $1,000 in marked bills was found in his desk drawer and his hands showed traces of a fluorescent powder used to mark the envelope.

The prosecution completed its case Monday after playing 55 tape recordings which had been secretly made by Garrison's former friend, Pershing Gervais, who was also a federal informer.